IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.65 OF 2005

Jagadish B. Pandey .....Petitioner.

V/s

The State of Maharashtra
Through Urban Development Department
Mantralaya, Mumbai & Ors. .....
Respondents.

Mr. Ambar Joshi for the Petitioner.

Ms. P.S. Cardoz, AGP for Respondent No.1.

Mr. R.S. Apte for Respondent No.2.

Mr. K.K. Malpathak for Respondent Nos. 5 & 6.

CORAM: **H.L. GOKHALE &**
V.M.KANADE, JJ.

DATE : **JANUARY 10, 2007**

P.C.

1. After the matter was heard for sometime, Mr. Joshi, the learned Counsel appearing for the petitioner, seeks to withdraw the Petition.

2. Petition is dismissed as withdrawn.

3. Mr. R.S. Apte, the learned Counsel appears for Respondent No.2 - Municipal Corporation.

4. The grievance in this Petition is about the building of which Respondent No.5 is the owner. Though the building is stated to be in dilapidated condition, Mr. Apte, the learned Counsel for Municipal Corporation, states that necessary notice under section 264 and 268 of the Bombay Provincial Municipal Corporation Act, 1949 has been issued to the landlord either to carry out the repairs or to pull down the building. Mr. Malpahtak, the learned Counsel appearing for Respondent No.5 - landlord and Respondent No.6 - tenant, states that the Respondent No.6 has filed a suit in the meanwhile and taken an injunction against the notice issued by the Municipal Corporation. We expect the Municipal Corporation to take appropriate steps by following up the proceedings appropriately.

(H.L. GOKHALE, J.)

(V.M. KANADE, J.)